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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
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SEP 14 2022

AT 8:30
WILLIAM J. HENSH
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Timothy Jackson

Plaintiff,

vs.

SUNRISE CREDIT SERVICES INC and
I.C. SYSTEM, INC.,

Defendant.

Case No.: 1:22-cv-04745-KMW-SAK

MOTION FOR EXTENSION OF TIME
TO FILE JOINT DISCOVERY PLAN
AND
TO RESCHEDULE SCHEDULING
CONFERENCE

PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO EXTEND TIME

Plaintiff asks the court to extend the time to file Joint Discovery Plan, as authorized by Federal Rule of Civil Procedure 6(b).

A. Introduction

1. Plaintiff is Timothy Jackson; defendants are Sunrise Credit Services, Inc. and IC System, Inc.
2. Plaintiff sued defendant for violations of the Fair Debt Collections Practices Act.
3. Prior to the Court's September 13, 2022, both the Plaintiff and defendant IC System's counsel conferred and discovered both had attempted to contact Sunrise Credit Service's council. On September 13, 2022 at approximately 4:48 pm EST Plaintiff received a call

from Sunrise Credit Services counsel. Plaintiff and defendant agreed to move forward with an extension of time.

4. Furthermore, Plaintiff's daughter had an emergency hospital visit on September 13, 2022, which Plaintiff attended.
5. Parties were required to file a joint discovery plant by September 13, 2022.
6. Plaintiff filed this motion to extend time as soon as he became aware of the need for additional time, which was after the deadline.

B. Argument

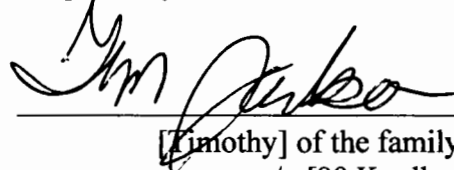
1. A court may grant a motion to extend time filed after the deadline if the motion shows proof of good cause and if the failure to act timely was the result of excusable neglect. Fed. R. Civ. P. 6(b)(1)(B). In determining whether there is excusable neglect, the court should consider the following: (1) the prejudice to the nonmovant, (2) the length of the delay and its potential impact on the judicial proceedings, (3) the reason for the delay and whether it was within the reasonable control of the movant, and (4) whether the movant acted in good faith. *Yesudian v. Howard Univ.*, 270 F.3d 969, 971 (D.C. Cir. 2001); *see Pioneer Inv. Servs. Co. v. Brunswick Assocs.*, 507 U.S. 380, 395, 113 S. Ct. 1489, 1498 (1993).
2. The court should grant Plaintiff's request for an extension of time to file a joint discovery plant until September 28, 2022, for the following reasons:
 - a. Sunrise Credit Services, Inc. and IC System, Inc. will not be prejudiced by the extension of time.
 - b. The delay in in filing a joint discovery plant has not been unreasonable. Plaintiff filed this motion to extend time as soon as he became aware of the filing deadline and that the deadline had passed.
 - c. The potential impact of the delay on the judicial proceedings is not significant. The requested delay is only 14 days and will not greatly impact the Court's schedule or the length of this case.
 - d. The reason for the delay was beyond Plaintiff's and defendant IC System's control. Plaintiff did not have reasonable control over the joint discovery plant because defendant Sunrise Credit Service's failed to respond to Plaintiff's messages.

- e. Plaintiff and defendant IC System's have acted in good faith by attempting to contact Sunrise Credit Services' counsel.

C. Conclusion

For these reasons, Plaintiff asks the court to extend the time to to file the Joint Discovery Plan until September 28, 2022 and rescheduled the Scheduling Conference.

Respectfully submitted:



[Timothy] of the family [Jackson]
c/o [90 Knollwood Drive]
Cherry Hill, NJ
08002

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R E C E I V E D

SEP 14 2022

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

CERTIFICATE OF SERVICE

I certify that a copy of the Motion for Extension of Time to File Joint Discovery Plan and To Reschedule Scheduling Conference was served on the following:

Counsel for Defendant (I.C. System, Inc.):
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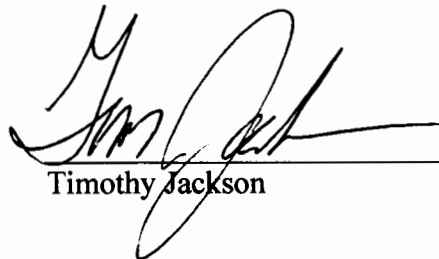
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by the following means:

{CHOOSE APPROPRIATE STATEMENT}

(A) U.S. mail on September 14, 2022.

(B) e-mail to csalvo@salvolawfirm.com and jjzacharias@mdwgcg.com on September 14, 2022.



Timothy Jackson